

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL NOTE**

**HB 3294 - SB 3179**

February 4, 2012

**SUMMARY OF BILL:** Grants immunity from civil liability to persons who operate whitewater rafting companies for an injury or death of a participant resulting from negligence on the part of the participant. Requires such companies to either post a sign, or provide the participant, in writing, a clause disclaiming any liability of a whitewater professional. Requires a disclaimer be included in any contract entered into by a whitewater rafting professional.

**ESTIMATED FISCAL IMPACT:**

**NOT SIGNIFICANT**

**Assumptions:**

- It is common practice for rafting companies to require a person to sign a waiver of liability before such individual is allowed to participate in a rafting activity.
- Does not hold harmless any such rafting company from its negligence including faulty equipment, dangerous property, disregard of safety, or intentional injury of participants.
- A small increase in cases in the court system, which will result in additional state and local government expenditures for processing the cases and additional state and local government revenue from fees, taxes and costs collected. These expenditures and revenue are estimated to be not significant.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise".

Lucian D. Geise, Executive Director

/jdb

**HB 3294 - SB 3179**